

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

<b>R. ALEXANDER ACOSTA</b> , Secretary	)	
of Labor, United States Department of Labor,	)	
	)	
Plaintiff,	)	CIVIL ACTION
v.	)	
	)	Case No. 17-cv-09222
<b>FRANK ERIC TALBERT</b> , <sup>1</sup>	)	
<b>THE PROTEUS GROUP, LLC, AND</b>	)	Hon. Andrea R. Wood
<b>THE PROTEUS GROUP 401(K)</b>	)	
<b>RETIREMENT PLAN,</b>	)	
	)	
Defendants.	)	

**SECRETARY’S UNOPPOSED MOTION  
TO ENTER THE PROPOSED CONSENT ORDER AND JUDGMENT**

Plaintiff R. Alexander Acosta, Secretary of Labor, U.S. Department of Labor (“Secretary”), pursuant to Federal Rule of Civil Procedure 7(b)(1) and through his undersigned attorney, requests that the Court enter the proposed Consent Order and Judgment executed by all the parties. In support of this Motion, the Secretary states that Defendants Frank Talbert and the Proteus Group, LLC, consent to the entry of the proposed Consent Order and Judgment. The Secretary received a copy of the Consent Order and Judgment signed by Mr. Talbert on behalf of himself, the Proteus Group, LLC, and the Proteus Group, 401(k) Retirement Plan<sup>2</sup> on April 9, 2018. Contemporaneously with this Motion, the undersigned is submitting a Word version of the

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<sup>1</sup> On September 13, 2016, Defendant Talbert filed for Chapter 7 bankruptcy in the U.S. Bankruptcy Court for the Northern District of Illinois, Eastern Division (Case No. 16-29223); he was discharged on September 29, 2017 (Doc. 69). On June 23, 2017, the Secretary initiated an adversary proceeding against Defendant Talbert (Adv. No. 17-00346). On January 25, 2018, the Bankruptcy Court entered a stipulated judgment finding the total debt of \$64,704.72 owed by Defendant Talbert to the Plan is nondischargeable pursuant to 11 U.S.C. § 523(a)(4) (Doc. 12). The Secretary shall collect on such debt from Defendant Talbert in accordance with the Bankruptcy Code.

<sup>2</sup> The Proteus Group 401(k) Retirement Plan is named as a defendant pursuant to Rule 19(a)(1)(A) of the Federal Rules of Civil Procedure solely to assure that complete relief can be granted.

proposed Consent Order and Judgment to the Court at [Proposed\\_Order\\_Wood@ilnd.uscourts.gov](mailto:Proposed_Order_Wood@ilnd.uscourts.gov).

WHEREFORE, for the foregoing reasons, Defendants Frank Talbert and the Proteus Group, LLC, having consented to the entry of the Consent Order and Judgment, the Secretary respectfully requests that this Court enter the proposed Consent Order and Judgment.

Date: April 19, 2018

Respectfully submitted,

**KATE O'SCANNLAIN**  
Solicitor of Labor

**CHRISTINE Z. HERI**  
Regional Solicitor

s/Kevin M. Wilemon  
**KEVIN M. WILEMON**  
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Secretary of Labor,  
United States Department of Labor

**CERTIFICATE OF SERVICE**

I certify that a copy of the foregoing **Secretary's Unopposed Motion to Enter the Proposed Consent Order and Judgment** was electronically filed on April 19, 2018, with the Clerk of the Court using the CM/ECF system and sent via First-Class Mail and email to:

Frank Talbert  
3854 N. Greenvew  
Chicago, IL 60613

s/Kevin M. Wilemon  
**KEVIN M. WILEMON**  
Attorney